



**International Convention on
the Elimination
of all Forms of
Racial Discrimination**

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COMMITTEE ON THE ELIMINATION OF RACIAL DISCRIMINATION

Fifty-sixth session

SUMMARY RECORD OF THE FIRST PART (PUBLIC)* OF THE 1381st MEETING

Held at the Palais des Nations, Geneva,
on Friday, 10 March 2000, at 3 p.m.

Chairman: Mr. SHERIFIS

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* The summary record of the second part (closed) of the meeting appears as document
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The meeting was called to order at 3.15 p.m.

CONSIDERATION OF REPORTS, COMMENTS AND INFORMATION SUBMITTED BY
STATES PARTIES UNDER ARTICLE 9 OF THE CONVENTION (agenda item 7) (continued)

Review of the implementation of the Convention in States parties whose reports are
excessively overdue

Greece

1. The CHAIRMAN suggested that, Greece having requested a postponement of consideration of its report, the review procedure scheduled for 15 March should be deferred. If he heard no objection, he would take it that the Committee granted that request.

2. It was so agreed.

ORGANIZATIONAL AND OTHER MATTERS (agenda item 5) (continued)

Establishment of an open-ended working group to draft a statement on the ethnic
dimension of some contemporary conflicts (continued)

3. The CHAIRMAN recalled that there had been a proposal to establish a working group on the questions discussed at the previous meeting. If he heard no objection, he would take it that the Committee wished to establish an open-ended working group, to be convened by Mr. Valencia Rodriguez.

4. It was so agreed.

Draft general recommendation on gender-related dimensions of racial discrimination
(CERD/C/56/Misc.21 and 22)

5. Ms. McDOUGALL, introducing the revised draft general recommendation on gender-related dimensions of racial discrimination (CERD/C/56/Misc.21), said that the draft had been revised in the light of events that had transpired since she had first submitted the text. The commentary (CERD/C/56/Misc.22) was merely a contribution to the debate on the draft recommendation; it was not being considered for adoption. The main impetus behind the draft was the desire to facilitate the systematic work of the Committee in evaluating the extent to which the guarantees under the Convention were fully enjoyed by both men and women. It was a recognized fact that, unless their particular situation was considered explicitly, women were often overlooked. Racial discrimination often affected women and men in different ways and to different degrees and had different consequences. In most societies, women often had additional burdens to bear and obstacles to overcome with regard to the exercise and enjoyment of rights and, in particular, remedies under the Convention. Clearly, the Committee was not required to monitor any discrimination other than that set out under the provisions of the Convention; what the draft recommendation sought to highlight were the specific and sometimes unique circumstances of women who were the victims of both racial discrimination and gender

discrimination. Hence, the draft recommendation addressed a narrow and limited set of circumstances which were fully within the Committee's competence. The text of the original draft general recommendation had appeared as an annex to the commentary.

6. Mr. de GOUTTES, stressing the importance of Ms. McDougall's initiative, asked whether the draft general recommendation was to be considered in connection with the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance.

7. Given its paramount importance, paragraph 7 of the proposed text should be moved forward.

8. Ms. McDOUGALL, replied that the gender-related dimension of racial discrimination had been repeatedly suggested for inclusion in the debate at the World Conference in resolutions adopted by the General Assembly, the Commission on Human Rights and the Sub-Commission on Prevention of Discrimination and Protection of Minorities.

9. Mr. NOBEL agreed with Mr. de Gouttes on the importance of Ms. McDougall's initiative and with his suggestion that the crucially important paragraph 7 should be moved forward. He noted that paragraph 7 could be shortened somewhat, since some of the points it contained had already been made earlier in the text.

10. The CHAIRMAN said that any member of the Committee who wished to propose a change to the text should submit it to Ms. McDougall, who was requested to produce a revised text prior to its further consideration.

11. Mr. ABoul-NASR expressed the view that there should first be a short general discussion on the subject before amending the text, because a number of points needed to be clarified, such as what the Committee wanted to achieve by adopting it.

12. Ms. McDOUGALL said that the point of the recommendation was to recognize the fact that in certain circumstances, racial discrimination affected women and men in different ways and to different degrees and that those differences might escape detection in the Committee's review of situations in certain societies unless it was given special attention. The intention was not to expand the scope of the Convention or the Committee, just as the purpose of the general recommendation adopted on indigenous peoples had not been to enlarge or amend in any way the Committee's interpretation of the Convention or its work, but rather to cast light on the circumstances of a particular group which was the victim of racial discrimination. The Committee must be very careful in assessing how it might have missed the particular impact of racial discrimination against women and whether or not remedies and racial discrimination complaint mechanisms were accessible to women.

13. Mr. ABoul-NASR said that he was not opposed to the idea of a recommendation, but asked why it was necessary to single out the racial discrimination which women might be subjected to rather than men. Such a distinction in treatment could also be made between

younger women and older women or, say, in respect of racial discrimination against elderly persons. Was it necessary to make special reference to each of those categories? Did the Convention not cover them all sufficiently?

14. He drew attention to a letter addressed to him by the High Commissioner for Human Rights on 3 February 2000, when he had still been Chairman of the Committee, requesting the Committee to report by 15 March which was now very close, on how it had implemented the recommendations of the Beijing Platform for Action and incorporated gender-specific analysis in its work. How was the Committee going to respond to that request?

15. The CHAIRMAN asked the Secretary of the Committee to circulate a copy of the letter as soon as possible for discussion.

16. Mr. PILLAI expressed his appreciation of Ms. McDougall's efforts.

17. Mr. VALENCIA RODRIGUEZ, after thanking Ms. McDougall for her contribution to a very important issue, said that the text of the draft general recommendation should be revised along the lines of general recommendations already issued by the Committee. The draft could be considerably shortened, for instance by consolidating paragraphs 1 and 2. Furthermore, the order of paragraphs 3 to 9 could be changed to ensure a better flow of ideas and make the text read more clearly.

18. Mr. SHAHI said that for the guidance of States parties the text ought to state more clearly what specific gender-disaggregated data were required, notably in relation to the various rights under article 5 of the Convention.

19. Ms. McDOUGALL said that she was willing to provide Mr. Shahi with more detailed clarifications outside the meeting, but in the meantime referred him to the text of the commentary (CERD/C/56/Misc.22), which gave some examples of the type of information she had in mind.

20. Mr. ABOUL-NASR asked whether, in preparing the draft text before the Committee, Ms. McDougall had referred to the official position adopted by the Committee on gender-related aspects of racial discrimination communicated to the meeting of persons chairing the human rights treaty bodies in 1999. It was important that the Committee should be able to refer to that position when discussing such matters, in particular where a change of position was likely.

21. Ms. JANUARY-BARDILL said that, as a new Committee member, she was not familiar with the Committee's position on those matters and would welcome some clarification.

22. Mr. BANTON, in response to a further request by Mrs. ZOU Deci, said that the Committee's position as referred to by Mr. Aboul-Nasr was outlined in paragraphs 40 to 56 of the summary record of the Committee's 1166th meeting. That position had, however, been subsequently altered in the light of an amendment to the general guidelines regarding the form and contents of reports to be submitted by States parties under article 9, paragraph 1 of the

Convention. He had a further document on the subject which also included an account of the relevant proceedings at the 1166th meeting and could be circulated among new Committee members for information.

23. The CHAIRMAN said that subject to the circulation of that document and any other background information useful to new Committee members, he would take it the Committee wished Ms. McDougall to revise the text of the draft general recommendation, as appropriate, on the basis of the discussion that had just taken place and any further suggestions members might wish to make.

24. It was so agreed.

Situation of the Roma

25. Mr. BANTON, reporting on the outcome of the deliberations of the working group on the situation of the Roma, said that the group had been alarmed by reports about the persecution of Roma, particularly in Europe, and of violations of the Convention involving them. The working group recommended that one or two days should be set aside during the fifty-seventh session for a thematic discussion of racial discrimination against the Roma people in Europe, with a view to considering possible further action. The Committee should request States parties for information about Roma populations, the discrimination they experienced and policies for eliminating it. A statement should also be issued to explain that the Committee would welcome submissions from Roma groups and national and international non-governmental organizations (NGOs).

26. Mr. DIACONU said there seemed little point in eliciting information from all States parties when the Committee was really interested in racial discrimination against the Roma people in Europe. Either the references to Europe should be deleted or information should be requested from European States parties. Furthermore, it was unlikely that there would be much response to a request for information on racial discrimination against Roma people. Instead, information should be sought on the social, economic and political situation of the Roma from which the Committee could draw its own conclusions about the existence of discrimination.

27. Mr. BANTON said that, since the working group had expressed concern about the situation of the Roma in Europe in particular, he would prefer to retain the reference to Europe in that context. However, the reference to Europe in connection with the thematic discussion to be held at the Committee's fifty-seventh session was not essential, and could be deleted.

28. The CHAIRMAN said he took it that those proposals were acceptable to the Committee. A revised text of the report of the working group would be circulated to Committee members in due course.

29. It was so agreed.

The public part of the meeting rose at 4.20 p.m.